

1 WHEREAS, on February 17, 2012, the Court entered a second Stipulation and Order
2 Extending the Deadline for Filing a Motion for Substitution Pursuant to Rule 25(a) (the "Rule 25(a)
3 Order") (Dkt. No. 136);

4 WHEREAS, the Rule 25(a) Order extended the deadline by which a party must file a motion
5 for substitution pursuant to Rule 25(a) with respect to Jan Lipson and Larry D. Mitchell, who passed
6 away during the pendency of this litigation, until March 2, 2012;

7 WHEREAS, on March 2, 2012, the parties filed a Stipulation and [Proposed] Order
8 Extending the Deadline for Filing Motions to Dismiss, which informed the Court that the parties'
9 settlement discussions were still ongoing, and, in light of such continued discussions, requested an
10 extension of the deadline for defendants to file motions to dismiss plaintiffs' Supplemental Second
11 Amended Consolidated Verified Shareholder Derivative Complaint or other responsive pleadings
12 until March 15, 2012;

13 WHEREAS, in order to preserve the pending claims, and in light of the parties' ongoing
14 settlement discussions, the parties wish to extend the deadline by which a party must file a motion
15 for substitution pursuant to Rule 25(a), until April 20, 2012; and

16 WHEREAS, the agreed-upon schedule is not for the purpose of delay, promotes judicial
17 efficiency and will not cause prejudice to any party;

18 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by plaintiffs, the Lipson
19 2000 Revocable Trust Under Agreement Dated September 28, 2000 and the Mitchell Revocable
20 Family Trust, through their respective counsel, subject to approval of the Court as follows:

21 1. The date within which any party must file a motion for substitution pursuant to Rule
22 25(a) is extended until April 20, 2012.

23 IT IS SO STIPULATED.

24 DATED: March 2, 2012

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s/ Christopher M. Wood
CHRISTOPHER M. WOOD

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20 Co-Lead Counsel for Plaintiffs

21 DATED: March 2, 2012

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1 DATED: March 2, 2012

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9 Attorneys for Nominal Defendant Finisar
10 Corporation and the Mitchell Revocable Family
11 Trust

12 I, Christopher M. Wood, am the ECF User whose identification and password are being used
13 to file the Stipulation and [Proposed] Order Extending the Deadline for Filing a Motion for
14 Substitution Pursuant to Rule 25(a). In compliance with General Order 45.X.B, I hereby attest that
15 Sarah A. Good and David A. Priebe have concurred in this filing.

16 s/ Christopher M. Wood
17 CHRISTOPHER M. WOOD

18 * * *

19 **ORDER**

20 Having considered the parties' Stipulation, and good cause appearing, the Court hereby
21 GRANTS the parties' Stipulation.

22 IT IS SO ORDERED.

23 DATED: ~~HEB~~ ~~FG~~

24 
25 THE HONORABLE RONALD M. WHYTE
26 UNITED STATES DISTRICT JUDGE